

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONIQUE SYKES, et al.,

Plaintiffs,

vs.

MEL S. HARRIS AND ASSOCIATES, LLC, et al.,

Defendants.

Index No. 09-cv-08486

Hon. Denny Chin

**DECLARATION OF MARK D.
HARRIS IN SUPPORT OF
LEUCADIA DEFENDANTS'
OBJECTIONS TO PLAINTIFFS'
PROPOSED CLASS
CERTIFICATION ORDER**

I, MARK D. HARRIS, an attorney duly admitted to practice before this Court,
hereby declare under penalty of perjury that the following is true and correct:

1. I am a partner in the law firm Proskauer Rose LLP, counsel for Leucadia National Corporation, L-Credit, LLC, LR Credit, LLC, LR Credit 10, LLC, LR Credit 14, LLC, LR Credit 18, LLC, LR Credit 21, LLC, Joseph A. Orlando, and Philip M. Canella (collectively, the "Leucadia Defendants"), and a member of the bar of the State of New York. I respectfully submit this declaration in order to transmit to the Court certain documents in connection with the Leucadia Defendants' objections to Plaintiffs' proposed class certification order.

2. Attached as Exhibit A is an email from Matthew Brinckerhoff to Ralph Ferrara, Ann Ashton, and Margaret Dale, dated January 22, 2013.

3. Attached as Exhibit B is a copy of a document titled Memorandum from Justice Philip S. Straniere to All Clerks, dated January 3, 2011.

4. Attached as Exhibit C is a copy of a letter from Carol Alt, Chief Clerk of the New York City Civil Court, to Joel D. Leiderman, Secretary of the Commercial Lawyers Conference Inc., dated March 31, 2011.

Executed in New York, New York on March 12, 2013.

/s/ Mark D. Harris

Mark D. Harris

Counsel for Defendants Leucadia National Corporation, L-Credit, LLC, LR Credit, LLC, LR Credit 10, LLC, LR Credit 14, LLC, LR Credit 18, LLC, LR Credit 21, LLC, Joseph A. Orlando, and Philip M. Canella